

रजिस्टर्ड नं० एस० एम० १४.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, ६ नवम्बर, १९७६/१५ कार्तिक, १८९८

GOVERNMENT OF HIMACHAL PRADESH

PANCHAYATI RAJ VIBHAG

NOTIFICATION

Simla-171002, the 4th November, 1976

No. PCH-H-A(3)-3/76.—In exercise of the powers conferred by section 60 and section 163 of the Himachal Pradesh Panchayati Raj Act, 1968 (Act No. 19 of 1970), the Governor, Himachal Pradesh is pleased to make the following amendments in the Himachal Pradesh Panchayati Raj (General) Financial, Budget, Accounts, Audit, Taxation Service and Allowances Rules, 1975, the same having been previously published in the Rajpatra (Extraordinary), dated 16th September, 1976. They shall come into force at once.

AMENDMENTS

1. In the appendix to Part B after Chapter XVI, at Serial No. 10 in column No. 3 of the Himachal Pradesh Panchayati Raj (General) Financial, Budget, Accounts, Audit, Taxation, Service and Allowances Rules, 1975 (hereinafter called the said rules) delete the word "and" before the word "clothing" and add the following words:—

"and washing Allowance as admissible to the corresponding Class of the State Government Servants".

2. For sub-rule (1) of Rule 158 of the said rules, the following sub-rule shall be substituted, namely:—

"The members of the Service, except Class IV employees, shall retire on their attaining the age of 58 years. The Class IV employees shall retire on their attaining the age of 60 years:

Provided that the appointing authority may order the pre-mature retirement of any of its employees. The rules for pre-mature retirement will be the same as applicable to the employees of State Government".

3. In clause (b) of Rule 171 of the said rules, the figures "6%" may be substituted by the figure "8%".

4. After Rule 180 of the said rules, add the following new Rules as Rules 180-A, 180-B and 180-C, respectively.

"180-A. *Withdrawal from the fund.*—Subject to the conditions specified herein, withdrawals may be sanctioned by the authority competent to sanction an advance at any time after the completion of twenty years of service (including broken period of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes, namely:—

(a) Meeting the cost of higher education, including where necessary, the travelling expenses of any child of the subscriber in the following cases, namely:—

(i) for education outside India for academic, technical, professional vocational course beyond the high school stage, and

(ii) for any medical, engineering or other technical, or specialised course in India beyond the high school stage provided that the course of the study is for not less than three years.

(b) Meeting the expenditure in connection with the marriage of subscriber's sons or daughters, and any other female relation actually dependent on him.

(c) Meeting expenses in connection with illness, including where necessary the travelling expenses of the subscriber or any person actually dependent on him.

(d) Building or acquiring a suitable house for his residence including the cost of site or repaying any outstanding amount on account of loan expressly taken for this purpose, or reconstructing, or making additions or alterations to a house already owned or acquired by the subscriber.

- (e) Purchasing a house-site or repaying any outstanding amount on account of loan expressly taken for this purpose.
- (f) For constructing a house on a site purchased utilising the sum withdrawn under clause (e)".

"180-B. *Conditions for withdrawal.*—(1) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in rule 180-A from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six month's pay, whichever is less.

The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit upto 3/4th of the balance at his credit in the Fund having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund:

Provided that in no case the maximum amount of withdrawal shall exceed Rs. 1,00,000/- or 75 times the monthly pay, whichever is less.

(2) A subscriber who has been permitted to withdraw money from the Fund under Rule 180-A shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn, or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum together with interest thereon at the rate determined under rule 174 by the subscriber to the Fund, and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments, as may be determined by the Chairman of the Panchayat Samiti.

(3) A subscriber who has been permitted under clause (d), clause (e) or clause (f) of rule 180-A to withdraw money from the amount standing to his credit in the Fund, shall not part with the possession of the house so built or acquired or house-site so purchased, by way of sale, mortgage or gift without the previous permission of the Chairman of the Panchayat Samiti. He shall also not part with the possession of such house or house-site by way of exchange or lease for a term exceeding three years, without the previous permission of the sanctioning authority. The subscriber shall submit a declaration not later than the 31st day of December, of every year to the effect that the house or, as the case may be, the house-site continues to be in his possession and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale deed and other documents on which his title to the property is based.

If at any time before retirement, he parts with the possession of the house or house-site without obtaining previous permission of the sanctioning authority, the sum withdrawn by him shall forthwith be repaid in one lump sum together with interest thereon at the rate determined under rule 174 by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Chairman of the Panchayat Samiti.

(4) Nothing in sub-rule (2) or sub-rule (3) shall be deemed to require a subscriber whose deposits in the Fund carry no interest to pay any interest on any sum repayable by him under that sub-rule".

“180-C. *Conversion of an Advance into a withdrawal.*—A subscriber who has already drawn or may draw in future an advance under rule 180 for any of the purposes specified in clause (a), (b) or (c) of rule 180-A, may convert at his discretion by written request addressed to the sanctioning authority, the balance out-standing against it with interest into a final withdrawal on his satisfying the conditions laid down in rule 180-A and 180-B”.

5. After clause (iv) of Rule 189 of the said rules, add the following clause as clause (v), namely:—

“(v) For journeys on foot, the road mileage will be 6 paise per km.”

S. PADAMANABHIA,
Under Secretary.